

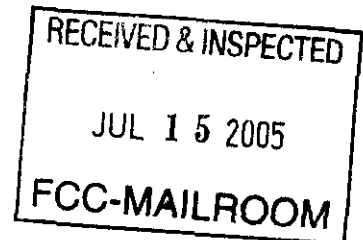
Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

Amendment of Section 73.202(b)
Table of Allotments,
FM Broadcast Stations.
(Palacios, Texas)

)
)
)
)
)
)

MB Docket No. 04-330
RM-11051



REPORT AND ORDER
(Proceeding Terminated)

Adopted: July 13, 2005

Released: July 15, 2005

By the Assistant Chief, Audio Division, Media Bureau:

1. In response to a Petition for Rule Making filed by Charles Crawford ("Petitioner") the Audio Division considers herein a *Notice of Proposed Rule Making*¹ proposing the allotment of Channel 264A to Palacios, Texas, as that community's second local aural transmission service. Petitioner has filed comments expressing its continued interest in applying for Channel 264A if it is allotted to Palacios, Texas, and stating that if its application is granted, it will construct a station in that community. For the reasons stated below, we allot Channel 264A to Palacios, Texas.

2. We conclude that the public interest would be served by the allotment of Channel 264A to Palacios, Texas, since it will provide a second local aural transmission service to that community. Channel 264A can be allotted to Americus, Georgia, consistent with the Commission's technical requirements at coordinates of 28-36-26 NL and 96-10-00 WL, with a site restriction of 12.2 kilometers (7.6 miles) southeast of Palacios, Texas. The Mexican Government has concurred in this allotment.

3. The Commission will send a copy of this Report and Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. Section 801(a)(1)(A).

¹ *Palacios, Texas, et al.*, 19 FCC Rcd 16631 (MB 2004).

4. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective August 29, 2005, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules IS AMENDED for the community listed below, as follows:

<u>Community</u>	<u>Channel Number</u>
Palacios, Texas	259C2, ² 264A

5. A filing window for Channel 264A at Palacios, Texas, will not be opened at this time. Instead, the issue of opening this allotment for auction will be addressed by the Commission in a subsequent order.

6. IT IS FURTHER ORDERED, That the Petition for Rule Making (RM-11051) filed by Charles Crawford IS GRANTED.

7. IT IS FURTHER ORDERED, That MB Docket No. 04-330 IS TERMINATED.

8. For further information concerning this proceeding, contact R. Barthen Gorman, Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief
Audio Division
Media Bureau

² We have no record that Channel 259A is currently licensed or allotted to Palacios. Accordingly, we hereby delete Channel 259A from 47 C.F.R. § 73.202(a), FM Table of Allotments under Palacios, Texas. This action constitutes an editorial change in the FM Table of Allotments. Therefore, we find for good cause that a public notice and comment proceeding is unnecessary. See 5 U.S.C. § 553(b) (A) and (B).